

House of Representatives, March 30, 1998. The Committee on Public Health reported through REP. MCDONALD, 148th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING PROFESSIONAL COUNSELORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 2 of public act 97-311 is  
2 repealed and the following is substituted in lieu  
3 thereof:

4 (a) Except as provided in subsection (c) of  
5 this section, no person may practice professional  
6 counseling unless he is licensed pursuant to  
7 section 20-195cc.

8 (b) No person may use the title "licensed  
9 professional counselor" or make use of any title,  
10 words, letters or abbreviations that may  
11 reasonably be confused with licensure as a  
12 professional counselor unless he is licensed  
13 pursuant to section 20-195cc.

14 (c) No license as a professional counselor  
15 shall be required of the following: (1) A person  
16 who furnishes uncompensated assistance in an  
17 emergency; (2) a clergyman, priest, minister,  
18 rabbi or practitioner of any religious  
19 denomination accredited by the religious body to  
20 which he belongs and settled in the work of the  
21 ministry, provided the activities that would  
22 otherwise require a license as a professional  
23 counselor are within the scope of ministerial

24 duties; (3) a sexual assault counselor, as defined  
25 in section 52-146k; (4) a person participating in  
26 uncompensated [self-help group counseling or peer]  
27 GROUP OR INDIVIDUAL counseling; (5) a person  
28 licensed or certified by any agency of this state  
29 and performing services within the scope of  
30 practice for which he is licensed or certified;  
31 (6) a student, intern or trainee pursuing a course  
32 of study in counseling in a regionally accredited  
33 institution of higher education, provided the  
34 activities that would otherwise require a license  
35 as a professional counselor are performed under  
36 supervision and constitute a part of a supervised  
37 course of study; (7) a person employed by an  
38 institution of higher education to provide  
39 academic counseling in conjunction with the  
40 institution's programs and services; or (8) a  
41 vocational rehabilitation counselor, job  
42 counselor, credit counselor, consumer counselor or  
43 any other counselor or psychoanalyst who does not  
44 hold himself out as a counselor whose primary  
45 service is the application of established  
46 principles of psycho-social development and  
47 behavioral science to the evaluation, assessment,  
48 analysis and treatment of emotional, behavioral or  
49 interpersonal dysfunction or difficulties that  
50 interfere with mental health and human  
51 development.

52 Sec. 2. Section 4 of public act 97-311 is  
53 repealed and the following is substituted in lieu  
54 thereof:

55 (a) Except as provided in [subsection]  
56 SUBSECTIONS (b) AND (c) of this section, [on and  
57 after January 1, 1999,] an applicant for a license  
58 as a professional counselor shall submit evidence  
59 satisfactory to the Commissioner of Public Health  
60 that he has: (1) Completed sixty graduate semester  
61 hours deemed to be in or related to the discipline  
62 of professional counseling by the National Board  
63 for Certified Counselors, or its successor  
64 organization, at a regionally accredited  
65 institution of higher education, which included  
66 the core and clinical curriculum of the Council  
67 for Accreditation of Counseling and Related  
68 Educational Programs and preparation in principles  
69 of etiology, diagnosis, treatment planning and  
70 prevention of mental and emotional disorders and  
71 dysfunctional behavior, and has earned, from a

72 regionally accredited institution of higher  
73 education with a major deemed to be in the  
74 discipline of professional counseling by the  
75 National Board for Certified Counselors or its  
76 successor organization, either (A) a master's or  
77 sixth-year degree of at least forty-two graduate  
78 semester hours, or (B) a doctoral degree; (2)  
79 acquired three thousand hours of  
80 postgraduate-degree-supervised experience in the  
81 practice of professional counseling, performed  
82 over a period of not less than one year, that  
83 included a minimum of one hundred hours of direct  
84 supervision by (A) a physician licensed pursuant  
85 to chapter 370 who has obtained certification in  
86 psychiatry from the American Board of Psychiatry  
87 and Neurology, (B) a psychologist licensed  
88 pursuant to chapter 383, (C) AN ADVANCED PRACTICE  
89 REGISTERED NURSE CERTIFIED AS A CLINICAL  
90 SPECIALIST IN ADULT PSYCHIATRIC AND MENTAL HEALTH  
91 NURSING WITH THE AMERICAN NURSES CREDENTIALING  
92 CENTER, (D) a marital and family therapist  
93 licensed pursuant to chapter 383a, (E) a clinical  
94 social worker licensed pursuant to chapter 383b,  
95 [or] (F) a professional counselor licensed, OR  
96 PRIOR TO OCTOBER 1, 1998, ELIGIBLE FOR LICENSURE,  
97 pursuant to section 3 of [this act] PUBLIC ACT  
98 97-311, OR (G) A PHYSICIAN, PSYCHOLOGIST, ADVANCED  
99 PRACTICE REGISTERED NURSE, MARITAL AND FAMILY  
100 THERAPIST, CLINICAL SOCIAL WORKER OR PROFESSIONAL  
101 COUNSELOR LICENSED OR CERTIFIED AS SUCH OR AS A  
102 PERSON ENTITLED TO PERFORM SIMILAR SERVICES, UNDER  
103 A DIFFERENT DESIGNATION, IN ANOTHER STATE OR  
104 JURISDICTION WHOSE REQUIREMENTS FOR PRACTICING IN  
105 SUCH CAPACITY ARE SUBSTANTIALLY SIMILAR TO OR  
106 HIGHER THAN THOSE OF THIS STATE; and (3) passed an  
107 examination prescribed by the commissioner.

108 (b) [Except as provided in subsection (c) of  
109 this section, prior] PRIOR to [January] JULY 1,  
110 1999, an applicant for a license as a professional  
111 counselor [shall] MAY, IN LIEU OF THE REQUIREMENTS  
112 SET FORTH IN SUBSECTION (a) OF THIS SECTION,  
113 submit evidence satisfactory to the commissioner  
114 that he has: (1) Earned a master's degree,  
115 sixth-year degree or doctoral degree from a  
116 regionally accredited institution of higher  
117 education with a major the National Board for  
118 Certified Counselors or its successor organization  
119 deems to be in the discipline of professional

120 counseling; (2) practiced professional counseling  
121 for a minimum of two years WITHIN A FIVE-YEAR  
122 PERIOD immediately preceding [October 1, 1997]  
123 APPLICATION; and (3) passed an examination  
124 prescribed by the Commissioner of Public Health.

125 (c) An applicant for licensure by endorsement  
126 shall present evidence satisfactory to the  
127 commissioner that he is licensed or certified as a  
128 professional counselor, or as a person entitled to  
129 perform similar services under a different  
130 designation, in another state or jurisdiction  
131 whose requirements for practicing in such capacity  
132 are substantially similar to or higher than those  
133 of this state and that he has no pending  
134 disciplinary action or unresolved complaint  
135 against him.

136 PH COMMITTEE VOTE: YEA 24 NAY 0 JFS

\* \* \* \* \*

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

\* \* \* \* \*

**FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5510**

STATE IMPACT                    Minimal Workload Increase, Minimal Revenue Gain, Minimal Workload Decrease, Minimal Revenue Loss, see explanation below

MUNICIPAL IMPACT            None

STATE AGENCY(S)            Department of Public Health

**EXPLANATION OF ESTIMATES:**

It is anticipated that the Department of Public Health (DPH) will be able to comply with the October 1, 1998 effective date for establishing the professional counselor licensure program within its anticipated budgetary resources.

The bill makes more lenient the educational requirements of persons seeking licensure on or after October 1, 1998. It also extends from January 1, 1999 to July 1, 1999 the date by which an experienced counselor may seek licensure based on alternative criteria. And it changes the time period during which an experienced applicant must have worked in the profession from a minimum of two years immediately preceding October 1, 1997 to a minimum of two years within a five year period preceding July 1, 1999. To the extent that these changes may increase the number of individuals seeking licensure, a minimal workload increase and revenue gain to the DPH will result in the course of processing applications and collecting a \$250 initial and \$150 renewal license fee per applicant.

The bill expands the definition of uncompensated counseling which may be performed by an unlicensed

individual. To the extent that this may reduce the number of individuals seeking licensure, a minimal workload decrease and revenue loss to the State will result as the DPH will process fewer applications and not collect the applicable licensure fees.

\* \* \* \* \*

### OLR BILL ANALYSIS

SHB 5510

#### AN ACT CONCERNING PROFESSIONAL COUNSELORS

**SUMMARY:** This bill makes a number of changes to the licensure program for professional counselors enacted last year (PA 97-311). It:

1. makes October 1, 1998 the date for beginning the licensure of professional counselors instead of January 1, 1999;
2. extends the licensure period by six months for applicants seeking licensure under an alternative process;
3. expands the list of health professionals who can provide the required direct supervision of license applicants in a post-graduate experience; and
4. broadens the current exemption from licensure to include all uncompensated counseling.

EFFECTIVE DATE: October 1, 1998

#### FURTHER EXPLANATION

##### Limited Alternative Licensure Opportunity

Current law allows the Department of Public Health (DPH) to license, until January 1, 1999, an applicant who has (1) a master's, sixth-year, or doctoral degree from an accredited institution with a major deemed by the National Board for Certified Counselors (NBCC) to be in professional counseling; (2) practiced professional counseling for a minimum of two years

immediately before October 1, 1997; and (3) passed a DPH exam.

The bill extends this licensure option period to July 1, 1999 and allows the minimum two years of professional counseling practice to have occurred anytime within a five-year period immediately preceding the application.

#### Supervision by Others

The law requires a licensure applicant to have 3,000 hours of post-graduate supervised experience in professional counseling over at least one year. This must include a minimum of 100 hours of direct supervision by a licensed physician certified in psychiatry by the American Board of Psychiatry and Neurology, a licensed psychologist, a licensed professional counselor, a licensed marital and family therapist, or a licensed clinical social worker.

The bill allows (1) a professional counselor not yet licensed but eligible for licensure by October 1, 1998 and (2) an advanced practice registered nurse (APRN) certified as a clinical nurse specialist in adult psychiatric and mental health nursing with the American Nurses Credentialing Center to provide the required supervision.

It also specifies that the following can provide the supervision: physicians, psychologists, APRNs, marital and family therapists, social workers, or professional counselors licensed or certified as such or entitled to perform similar services under a different designation in another state with practice requirements substantially similar to Connecticut's.

#### Inapplicability to Other Professions and Activities

Current law provides that the licensure requirement does not apply to a person participating in uncompensated self-help group counseling or peer counseling. The bill instead provides that licensure does not apply to uncompensated group or individual counseling.

#### COMMITTEE ACTION

## Public Health Committee

Joint Favorable Substitute  
Yea 24      Nay 0